

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

KWASI SEKOU MUHAMMAD, a/k/a
MICHAEL WINSTEAD,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS, et
al.,

Defendants.

Civil No. 05-4999 (JBS)

ORDER

This matter is before the Court on Plaintiff's request for pro bono counsel [Docket Item 50] and the motions of Defendant New Jersey Department of Corrections ("NJDOC") to dismiss the complaint [Docket Item 21] and to seal [Docket Item 19]. For the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 12th day of **June, 2007** hereby

ORDERED that the Court shall **GRANT** Plaintiff's request for pro bono counsel [Docket Item 54] pursuant to 28 U.S.C. § 1915(e)(1); and

IT IS FURTHER ORDERED that the Clerk shall select an attorney for appointment from the Civil Pro Bono Panel; and

IT IS FURTHER ORDERED that New Jersey Department of Corrections' motion to dismiss for failure to state a claim [Docket Item 21] and its motion to seal [Docket Item 19] shall be, and hereby are, **DISMISSED WITHOUT PREJUDICE** to reinstatement

upon Defendant's request after pro bono counsel has entered an appearance.

s/ Jerome B. Simandle
Jerome B. Simandle
United States District Judge